

### **REMARKS/ARGUMENTS**

In the Final Office Action mailed August 6, 2010, claims 6, 13 and 23 were allowed: claims 4, 5 and 7-9 were objected to as depending from rejected claims but are otherwise allowable; and claims 1-3, 10, 18-22, 26, 28 and 29 stand rejected. Without conceding the propriety of these rejections, claims 1-3, 10, 18-22, 26, 28, and 29 have been cancelled without prejudice or disclaimer of the subject matter therein and claim 4 has been re-written in independent form.

Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

### **CLAIM OBJECTIONS**

Claims 4-5 and 7-9 are objected to as being dependent on a rejected base claim. Claim 4 has been re-written in independent form and claims 5 and 7-9 depend therefrom. Accordingly, Applicants respectfully submit that claims 4-5 and 7-9 are in condition for allowance and a Notice of Allowance is earnestly solicited.

### **CLAIM REJECTIONS – 35 U.S.C. §112**

Claims 19, 22 and 26 remain rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 19, 22 and 26 have been cancelled.

### **CLAIM REJECTIONS – 35 U.S.C. §102**

Claims 1 and 28 remain rejected under 35 U.S.C. §102(b) as being anticipated by Cerquetti *et al.* (1992 *Microbial Pathogenesis*, Vol. 13, pgs. 271-279; “Cerquetti”), as evidenced by Wright *et al.* (2005 *Proteomics*, Vol. 5, pgs. 2443-2452; “Wright”). Claims 1 and 28 have been cancelled.

### **CLAIM REJECTIONS – 35 U.S.C. §103**

Claims 1-3, 10, 21 and 28-29 remain rejected under 35 U.S.C. §103(a) as being unpatentable over Cerquetti and Campbell (Chapter 1, pg. 1, *Monoclonal Antibody Technology* pgs. 3-5, 1984) as evidenced by Wright. Claims 1-3, 10, 21 and 28-29 have been cancelled.

### **CONCLUSION**

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned at 202-861-1629 in an effort to resolve any matter still outstanding before issuing another action. The undersigned is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 87278.2740.

Respectfully submitted,  
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